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KEISY GUERRERO MARIANO,	:	
	:	
Petitioner,	:	
	:	21-CV-4440 (JPC)
-v-	:	
	:	<u>ORDER</u>
THOMAS DECKER, et al.,	:	
	:	
Respondents.	:	
	:	
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JOHN P. CRONAN, United States District Judge:		

On May 18, 2021, Petitioner Keisy Guerrero Mariano petitioned the Court for the writ of habeas corpus. Dkt. 1. According to the Petition, however, as of May 17, 2021, the day before the Petition was filed, Petitioner was being held in the Hudson County Jail in Kearny, New Jersey. *Id.* ¶ 4. Although the Petition suggests that counsel is not aware of Petitioner’s location, there is no allegation in the Petition that Petitioner was present in this District on the date of filing. Although judges in this District are divided on the question, this Court has held that jurisdiction does not lie in this District where a petitioner challenging detention pending removal proceedings was not present in this District at the time of filing. *See Singh v. Decker*, No. 20 Civ. 9089 (JPC), 2021 WL 23328 (S.D.N.Y. Jan. 4, 2021).

In light of the foregoing, and the time sensitivity of the issues raised in the Petition, Petitioner shall file a letter by May 24, 2021 indicating (1) any updated information as to Petitioner's location at the time of filing and (2) whether Petitioner consents to immediate transfer of this case to the District of New Jersey. In the event that he does not so consent, the Court will hold a teleconference on May 27, 2021 at 11:30 a.m. At the scheduled time, counsel for all parties should call (866) 434-5269, access code 9176261.

All counsel must familiarize themselves with the Court's Individual Rules, which are available at <https://www.nysd.uscourts.gov/hon-john-p-cronan>. Absent leave of Court obtained by letter-motion filed before the conference, all pretrial conferences must be attended by the attorney who will serve as principal trial counsel.

If this case has been settled or otherwise terminated, counsel are not required to submit such letter or to appear, provided that a stipulation of discontinuance, voluntary dismissal, or other proof of termination is filed on the docket prior to the joint letter submission deadline, using the appropriate ECF Filing Event. *See* SDNY ECF Rules & Instructions §§ 13.17-13.19, *available at* [http://nysd.uscourts.gov/ecf\\_filing.php](http://nysd.uscourts.gov/ecf_filing.php). In accordance with the Court's Individual Rules and Practices for Civil Cases, requests for extensions or adjournment may be made only by letter-motion filed on ECF and must be received at least 48 hours (*i.e.*, two business days) before the deadline or scheduled appearance, absent compelling circumstances. The written submission must state (1) the original date(s) set for the appearance or deadline(s) and the new date(s) requested; (2) the reason(s) for the request; (3) the number of previous requests for adjournment or extension; (4) whether these previous requests were granted or denied; and (5) whether opposing counsel consents, and, if not, the reasons given by opposing counsel for refusing to consent.

No later than May 21, 2021, Petitioner's counsel is directed (1) to serve Respondents with a copy of the petition and accompanying papers, along with a copy of this Order, by overnight mail, and (2) to promptly file proof of such service on the docket. Counsel for Respondents shall promptly enter notices of appearance.

SO ORDERED.

Dated: May 20, 2021  
New York, New York



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JOHN P. CRONAN  
United States District Judge